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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91202898
Party	Plaintiff L'Oreal USA, Inc. and L'Oreal
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Submission	Other Motions/Papers
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Date	03/07/2013
Attachments	Stipulation to Submit Testimony by Affidavit or Declaration.pdf (2 pages)(65511 bytes)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

In the Matter of Application Serial No. 85/270,272
Published in the Official Gazette on August 2, 2011
Mark: FOREAL FORÉAL BY MIKHAIL

L'Oréal S.A. and L'Oréal USA, Inc.,

Opposer,

v.

Mikhail Levitin T/A MIKHAIL
LEVITIN INSTITUTE,

Applicant.

Opposition No. 91202898

STIPULATION TO SUBMIT TESTIMONY BY AFFIDAVIT OR DECLARATION

Pursuant to Trademark Rule 2.123(b), 37 C.F.R. § 2.123(b), and Trademark Trial and Appeal Board Manual of Procedure § 703.01(b), L'Oréal S.A. and L'Oréal USA, Inc. (collectively, "L'Oréal" or "Opposer") and Mikhail Levitin T/A MIKHAIL LEVITIN INSTITUTE ("Applicant") hereby stipulate and agree that the testimony of any witness may be submitted in the form of an affidavit or declaration by such witness during the appropriate testimony period. Nothing herein shall prevent a party from objecting to testimony on the grounds of competency, relevance, admissibility, materiality and/or any other grounds that would be available to it if testimony by oral deposition took place.

Dated: February 4, 2013

MIKHAIL LEVITIN

By: 

Mikhail Levitin

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Applicant

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By: 

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing Stipulation to Submit Testimony by Affidavit or Declaration has been served upon Mikhail Levitin by electronic transmission, as mutually agreed upon by the parties, and by depositing a true copy of the same with the U.S. Postal Service, first-class mail, postage prepaid on March 7, 2013.


Edith R. Lopez